

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MEMORANDUM AND ORDER

This matter is before the Court on defendant Chandler's motion to dismiss the amended complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure for failure to state a claim upon which relief can be granted. The motion is denied.

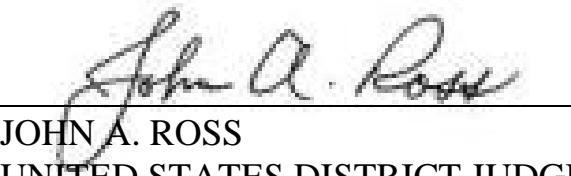
Chandler argues that the amended complaint contains no factual allegations showing that she was directly involved in any alleged violations of plaintiff's constitutional rights.

Construed liberally, plaintiff alleges that Chandler was responsible for ensuring that he had proper medical transportation due to his disabilities. And plaintiff asserts that she did not provide the proper transportation, and as a result, he was injured. When the Court reviewed the amended complaint under 28 U.S.C. § 1915(e), it determined that these facts were sufficient to state a claim for relief under the pleading standards of the Federal Rules of Civil Procedure.

Accordingly,

IT IS HEREBY ORDERED that defendant Chandler's motion to dismiss [Doc. 33] is **DENIED**.

Dated this 6th day of September, 2012.



John A. Ross
JOHN A. ROSS
UNITED STATES DISTRICT JUDGE